

02-277

**From:** Syndi Allgood  
**To:** Mike Powell  
**Date:** Wed, Apr 30, 2003 9:55 AM  
**Subject:** Congress demand FCC protect public media access

Dear Commissioner Powell:

Numerous reports agree that the Federal Communications is planning to loosen longstanding rules governing control of the media that bring news and views to the American public. This will inevitably lead to monopoly, by a few large corporate giants, of TV stations, newspapers, and broadcast networks.

I urge you, Commissioner Powell, to halt immediately any implementation of these these FCC plans that threaten public access to diverse views and information.

Sincerely,

Syndi Allgood  
503 Sterling Ridge DR  
Augusta, GA 30909

**From:** Marc Daniel  
**To:** Mike Powell  
**Date:** Wed, Apr 30, 2003 9:55 AM  
**Subject:** FCC promote media diversity

Dear Commissioner Powell:

Numerous reports agree that the Federal Communications is planning to loosen longstanding rules governing control of the media that bring news and views to the American public. This will inevitably lead to monopoly, by a few large corporate giants, of TV stations, newspapers, and broadcast networks.

I urge you, Commissioner Powell, to halt immediately any implementation of these these FCC plans that threaten public access to diverse views and information.

Sincerely,

Marc Daniel

**From:** Mike & Donna Riley  
**To:** Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 12:01 PM  
**Subject:** I say no to media dereg

To FCC commissioners

My view of the medias bias during the war has been quite alarming. In my view it was one sided with conservative republican domination of views and coverage. This has awaken me to a larger problem of media domination by a member party,group, individual, or what ever could gain domination at a given time. This is why I disagree with media deregulation. We the people can loose freedom of information, while the conglomerate can gain control over the populous. Very dangerous stuff. Mike Riley  
gomriles@yahoo.com

**From:** RYNNEAL@aol.com  
**To:** Mike Powell  
**Date:** Wed, Apr 30, 2003 12:14 PM  
**Subject:** Regulations

Dear Chairman Powell:

We are writing to you concerning the FCC's proposal to further deregulate ownership limits of media corporations. Partial deregulation in 1996 was bad enough. We do NOT need more deregulation.

We are very concerned that further deregulation will lead to a monolithic society and increase the lack of diversity of information coming to us over the airwaves.

With respect to news, the media have a public service obligation to bring us a diverse and multifaceted view of what happens throughout the world. What we have experienced since 1996 is LESS diversity of reporting and more sensationalism.

With respect to other aspects of media, we are seeing less local programming and more canned programming. The creativity is fast disappearing and being replaced with taped programs.

With 5 companies controlling 90% of the TV channels, the public is NOT being served with diversity.

We feel that the FCC should encourage diversity and a variety of smaller owned stations. We need MORE regulation, NOT less.

We urge that you bring the FCC proposals to full public view and seek public input. Everyone in the US has a right to know what is happening on the subject of media consolidation or not.

We appreciate your prompt action to initiate public input to comment on FCC proposals.

Sincerely, Kathryn Hiestand and Neal Miller

**From:** Elyse M. Avella  
**To:** Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 12:20 PM  
**Subject:** Comments to the Commissioner

Elyse M. Avella (femrockr@cs.com) writes:

I emphatically, as a US citizen and a member of this democracy, do not support and am opposed to the FCC revising decades-old media ownership rules, including a limit on a company owning television stations that reach more than 35 percent of the national television audience as well a ban on a company from owning a newspaper and either a radio or television station in a market. I am also opposed to the FCC relaxing limits on owning multiple radio and television stations in a market and facilitating yet another monopoly enabling the four major television networks to merge. Please, let this administration show some heart and do something for the poor majority instead of the the RICH (mostly) WHITE minority.

Thank you

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Server protocol: HTTP/1.1  
Remote host: 216.2.225.66  
Remote IP address: 216.2.225.66

**From:** Ed Young  
**To:** Mike Powell  
**Date:** Wed, Apr 30, 2003 12:27 PM  
**Subject:** Regulation of media, radio mergers

FCC Chairman,

Promotion of any policy that promotes further mergers of the media, especially radio, is anti-democracy. The argument that mergers promote competition is obviously spurious, and really an oxymoron, since mergers eliminate competition. Anti-trust laws have been so eroded in all areas of American business to such an extent that we are now basically a Feudal State and democracy and free enterprise, as they were meant to be, are disappearing because of it. At this time in our history we need diversity of expression by individuals and on the regional and local levels as well as the national level. We need access to international media at these same levels and with the same diversity as well. Please do not reduce our media outlets to only those few voices of the powerful, monolithic media corporations.

Thank you,

Ed Young

Ed Young

[dredyoung@earthlink.net](mailto:dredyoung@earthlink.net)

<http://dredyoung.com/default.htm>

[nsi@TheNaturalSystemsInstitute.org](mailto:nsi@TheNaturalSystemsInstitute.org)

<http://TheNaturalSystemsInstitute.org/default.htm>

**From:** Trevor Ley  
**To:** Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 12:32 PM  
**Subject:** Comments to the Commissioner

Trevor Ley (getmydish@yahoo.com) writes:

April 7, 2003

Seeing the recent NOW program with Bill Moyers prompted me to go back over some writing I did during the last few of my 25+ years in radio. These were thoughts on consolidation, programming, sales and advertising scheduling practices that disturbed me greatly and left me relieved to leave the industry. The writing was really a way to purge my anxieties, and although I would have loved to share them with someone who could stop the abuse, there was no outlet. Speaking out as a public personality against the hand that feeds seemed unwise and other than for some sympathetic colleagues, concern about consolidation was for the consumer. On air talent was already an endangered species, and consolidations effects on us were given no notice.

My radio career in ended with my being discharged from Infinity Broadcasting's KOAI in Dallas 4 years ago. The experiences leading up to that point were so unpleasant that my only desire for the year or two prior was to hold on long enough to receive severance pay. I retained an attorney during the last few months and believe that my employers' awareness of my retaining counsel was all that prevented severance from being denied.

The disjointed paragraphs that follow are observations made mostly after the 1996 Telecommunications legislation and point up why I object to further consolidation of ownership.

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Radio programmers at music stations often negotiated balance between time devoted to entertainment versus time allotted to advertising inventory. At NAC (Smooth Jazz/New Age) stations as recently as 1996, it was considered risky to subject listeners to any more than 8 minutes per hour of commercials. By 1998, any concern for entertainment value or effects on listeners was set aside as stations in the format went to 12, 14 and even 16 minutes per hour of advertising. Justification was that "corporate" (Infinity in our case), had incurred great debt in buying up all the properties it had acquired and there was no alternative. Since Infinity owned most of the competitors in our demographic target and Clear Channel, ABC/Disney and other owners were in the same state of affairs, all stations effectively doubled the time devoted to ads. Listeners be damned....we need the cashflow and as long as the competition is doubling their ad time too, nobody loses, we all gain revenue.

Amazingly, at least in morning and afternoon drive times, stations often sold out.... committing their entire inventory. So agencies and last minute clients would be told there were no drivetime ads available. One major exception. In May and November its TV "sweeps", when TV networks and stations blitz ads to boost ratings for news, miniseries, exposes, etc. All Infinity stations were REQUIRED to run no-charge 10 second ads for the co-owned CBS TV network....3 per hour, 7 AM to 9PM. So the Infinity stations aren't only squeezing all the ad money they can out of its stations, the corporation is using its radio properties to promote its TV network at no cost.

When radio rating periods come along, the radio stations often use billboards. Infinity stations, of course, get special rates on Infinity (or Viacom) owned billboards and probably a damned good lashing if they choose a competitor.

There are, obviously far more consumers than broadcast employees and discussions of consolidation effects are rightly focused on consumers. But I want to make some points as a 20+-year radio employee in regard to consolidation. I was hired at 107.5 FM in Dallas (then KCDU) in April 1992. Owner was Granum Communications. KCDU FM and 1410 AM were their only properties at the time, with facilities in the penthouse of an upscale North Dallas office tower. Although Granum was a small company, it was funded by the well-known Kohlberg, Kravitz, and Roberts (KKR), the financial giant known for its takeover of Beatrice foods and RJ Reynolds. After changing format and adopting call letters KOAI in November 1992, KOAI experienced well-publicised ratings and revenue success. In October 1992, the CEO boasted in trade publications of its first million dollar-billing month. No bonuses, pay increases or reward for contributions to that success were known to have gone to employees.

In the middle of 1994, Granum announced the acquisition of 11 other radio properties from what I recall was Sheridan broadcasting. Those included an additional AM and FM signal in the Dallas market. Within a few months it was announced that Granum's 1410 AM would be spun off and the remaining three stations would be moved into an aged building in a Dallas industrial park area. While the principals cited expensive renovations to the building, the improvements were mainly cosmetic in the lobby and office areas. Studios and work areas were not only crowded, but remained dirty, unsightly, and badly ventilated. During the following 3 to 4 years, minimum efforts were devoted to correcting drastic variations in heat and cold in the sealed studios and unhealthy ventilation. The mantra employees heard during this period was that budgets and debt-service from the acquisitions prevented any upgrading or improvements of facilities and equipment. The same applied to any talk of wage increases, promotion of the station to continue the ratings success and many other areas. At one point, management even removed the rented plants and bottled drinking water. Principals continued to trade on the success of KOAI while they put their focus and resources toward repeating the pattern with their newly-acquired FM signal, known as V100 for a time and Hot100.

As consolidation began to steamroll in 1996, it was announced that all Granum properties were being acquired by the growing Infinity Broadcasting. This was followed by Infinity's merging with Westinghouse, which had only a bit earlier merged with CBS. It became clear after a point that individual stations, let alone their employees and listeners were being ignored in almost every way while the focus was on Wall Street dealmaking.

Informally, budget discussions with management would include phrases like Mel (Karmazin) has a lot of debt service to cover. My personal response was that I didn't advise Mel to go buy all these other properties and yet I'm asked to sacrifice professionally and personally for debt he took on. Of my 7 years at KOAI, 6 were spent waiting for a merger to close, while I watched a successful station deteriorate. KOAI was a cash cow that permitted a few corporations to expand while the station, employees, listeners and advertisers were ignored. The public interest was foreign phrase.

Before consolidation, when on-air talent, engineering, and other operations employees had issues over



compensation, working conditions, etc. with a broadcast station, they were able to seek employment with a competitor in the market or relocate to another market. When the major competitors are owned and operated by only 2 or 3 companies, those options dry up, along with any leverage. Neither Management nor employees at an Infinity (or Clear Channel) station are permitted to discuss a move to a co-owned station. On the other hand, moving talent or entire formats between station signals are at the whim of the corporation. The lack of competition has not only kept salaries from rising, but forced them downward as stations; formerly competitors became sister stations. General Managers, even from competing companies in any given market meet regularly and quietly agree to hold the line on talent costs, while collective efforts on the part of talent or representation by an agent are met with the massive legal forces of a major corporation.

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One of the major Dallas broadcast towers collapsed in 1998, resulting in the deaths of three technicians and the interruption of 6 radio signals. The collapse came shortly after Infinity launched the first FM all-news format. Infinity's Young Country format on one of affected signals was on the upswing. Infinity quickly scrapped the news format, dismissed the staff and moved its country signal to the frequency. The news format had only aired for a matter of a month or so and was never revived.

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Another observation is that once former competitors became co-owned with budgets for advertising and promotion coming from one source, the corporate level could decide which stations received funding for contests, tv advertising, billboards and promotions during Arbitron ratings periods. Of course, expenditures, placement, and pricing of outside advertising were directed to Infinity-owned billboards and TV stations. To the extent that such promotion and advertising affects ratings outcome, corporate was able to decide in advance, which stations improved or declined, all while insuring increased business for its other divisions.

In addition, during ratings periods, CBS owned television stations further influenced outcome by conducting personality interviews and coverage of promotional events and including them in news content. In reverse, CBS/Infinity radio stations not only aired reduced or no-cost ads for their tv properties during tv sweeps, they could encourage news content, guest interviews, talk show discussions promoting its tv programming. This cross-promotion was perfected with the constant mentions of CBS' "Survivor series in entertainment and news programming. The practice continues with Fox and ABC/Disney.

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Payola was the dirty word ascribed to entertainment programming decision-makers being influenced by undisclosed payments. Scandals in the 1950s and 60s brought the practices to an end as far as the public is concerned. For every year I worked in broadcasting, I signed an agreement verifying that I had not received any payment for influencing on-air programming. The farce became that on-air talent had next to no influence on programming in any case. Music and program directors also signed such agreements. On the surface, programming decisions are made strictly on the basis of entertainment value. Programming consultants, however, contracted, but not employed by broadcasting companies are not required to sign such agreements. Such consultants have control over stations music and programming, some with near-total dominance of a music format nationwide.

During my 10 year involvement with the Smooth Jazz music format, I began to question the methods for selecting music for air. Broadcast Architecture, with only two decision-makers published a weekly playlist that was followed religiously not only by the stations who retained their services, but others in the format and even outlets in Germany and Japan. Their programming advice was based on research conducted in markets by the consultants themselves. Several times a year, they would recruit respondents to attend seemingly impartial listening tests in a hotel ballroom or auditorium, where they would respond to clips of music. As far as I know, no one ever questioned how the respondents were selected or whether the

method for obtaining the results was proven accurate in any way. I questioned several times why certain artists, considered major players in the format in 1993-94 were erased from playlists only a year or two later, even as listeners calling in asked for their music. Other artists were over-exposed, especially after they performed free concerts for listeners. Any questioning of these decisions was referred back to the consultants research data. I began to notice that several of these artists received this exposure after moving from an independent record label to one owned by one of the major media companies.

I asked management as to whether they considered that the music research, seen as unquestionably valid, would or could be easily skewed to support the advice of the consultant who conducted it. There were plenty of music research firms that could have conducted tests independently. I was told that others were considered but Broadcast Architecture was the most reliable. I observed that ratings continued to fall over a period of several years, while this one consulting firm continued to be retained. After a point, any questioning of the process was viewed as insubordination. I also believe my questioning also contributed to my dismissal from KOAI.

It became known in the industry that the same consultants were being invited to recording sessions to critique music during the recording process, so it would meet their airplay standards before being released. Several long-standing musicians in the jazz format objected to this process and the testing and did so publicly. Their music tended to drop from playlists and their comments brushed off as creative frustration or sour grapes at their music failing the research. I should add that private conversations with other on-air talent in other formats showed similar concerns. The feeling was that artists who did not play ball with the handful of consultants would bar them from receiving airplay.

Although there is no hard evidence these consultants are influenced by certain recording companies, I became uncomfortable with the possibilities. It is my belief that they are underhandedly profiting from their national influence on music entertainment. The practice is a larger scale, more discreet version of payola.

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In the current environment, the entertainment has been consolidated to one source, ownership to a handful of corporations, news is being furnished by only 2 to 3 sources, workers in the industry are being forced out, reduced in compensation and/or forced to turn a blind eye to undue influences. At the top of it all, profits all flow to a few investors. In my opinion, what were once called the public airwaves have become a feeding frenzy for a very few at the expense of the public. The public interest is not being served now and will not be served in any way by allowing further consolidation. Big Brother lives on Wall Street.

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Server protocol: HTTP/1.1  
Remote host: 151.201.141.13  
Remote IP address: 151.201.141.13

**From:** Vern  
**To:** Mike Powell, Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 12:41 PM  
**Subject:** <No Subject>

**\*\* For Your Eyes Only \*\***

Dear Sirs/Madams:

For two years I have not been able to watch (stomach) any of the network news stations, because of their monolithic, narrow and one-sided coverage of important news issues. Lately, I have also stopped watching PBS, mostly for the same reason.

The further relaxation of ownership rules championed by Powell, Abernathy and Morton will only worsen this situation.

It is pathetic that most of the world knows more about what is going on in our country than our own citizens.

Please do what you can to stop, and reverse this control of our media by major corporations. These are public airways. Please return them to the public!

Very truly yours,

Vern Eveland, Ph.D.  
eveland@csulb.edu

**From:** h goldberg  
**To:** Mike Powell, Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 1:19 PM  
**Subject:** <No Subject>

I emphatically, as a US citizen and a member of this democracy, do not support and am opposed to the FCC revising decades-old media ownership rules, including a limit on a company owning television stations that reach more than 35 percent of the national television audience as well a ban on a company from owning a newspaper and either a radio or television station in a market. I am also opposed to the FCC relaxing limits on owning multiple radio and television stations in a market and facilitating yet another monopoly enabling the four major television networks to merge. Please take your time in resolving these measures, and do not rush to the June 2nd meeting with an conclusive decision that this is going to work for our country. We grow through diversity of thought and action. We did away with Monopolies for a reason. Please do not homogenize our culture by filtering it down to the thoughts of less than six companies.

Thank You,

Hilary Goldberg  
Creative Director  
Power Up

310 271 4708  
8899 Beverly Blvd. Suite 501  
Los Angeles, CA 90048

Thank you

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Do you Yahoo!?  
The New Yahoo! Search - Faster. Easier. Bingo.

**From:** Eugene Beckes  
**To:** Mike Powell  
**Date:** Wed, Apr 30, 2003 1:30 PM  
**Subject:** deregulation of airwaves

Dear Michael K. Powell,

I am writing because of concern about the possible further deregulation of the nation's media airwaves. I don't think that's a good idea. I believe that diversity in our ideas and people is the greatest strength the U.S. possesses. The big corporations who already own much of the nation's airwaves are primarily interested in money, not quality of information or what is necessarily good for the people.

Please do not help in the further erosion of our diversity of thought and ideas. Please don't deregulate or allow deregulation re the nation's airwaves.

Thanks for listening.  
Sincerely,  
Eugene Beckes

starkraven@blackfoot.net  
Eugene Beckes  
4181 Mission Crk. Rd.  
St. Ignatius, MT. 59865  
(406) 745-3001

**From:** Carl Wurtz  
**To:** Mike Powell  
**Date:** Wed, Apr 30, 2003 1:54 PM  
**Subject:** We need more restrictions on media ownership

Dear Chairman Powell,

Since the deregulation of radio has occurred there has been a marked decline in the quality of radio programming. We are rapidly ushering in an age where diversity of opinion will be nil and special interest groups will be able to influence large portions of the electorate.

Needless to say, this is not healthy for democracy. Because it is the FCC's responsibility to act in the best interest of the public, the onus should be on proving why a change is warranted, not why one isn't. Since 1995 the number of media ownership entities have dropped by 40%, and we have seen a marked drop in reporting of civic and community news, as well as diversity of opinion. It would be ludicrous to say that (in the realm of broadcast programming) the public is better served today than it was then, and continuing this trend can only make things worse.

Sincerely,

Carl Wurtz  
BringHonorBack.org

**From:** Rodney  
**To:** Mike Powell, Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 1:58 PM  
**Subject:** Ownership caps

Just another person writing in to say:

The cap must be kept at its current level or lowered.

Thank you

Rodney Gay  
114 1/2 W 12th  
Stillwater OK 74074

**From:** info@bringhonorback.org  
**To:** Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 2:10 PM  
**Subject:** We need more control of media ownership

Dear Commissioner Adelstein,

Since the deregulation of radio there has been a marked decline in the quality of radio programming. We are rapidly ushering in an age where diversity of opinion will be nil, and special interest groups will be able to influence large portions of the electorate.

Needless to say, this is not healthy for democracy. Because it is the FCC's responsibility to act in the best interest of the public, the onus should be on proving why a change is warranted, not why one isn't. Since 1995 the number of media ownership entities have dropped by 40%, and we have seen a marked drop in reporting of civic and community news. It would be ludicrous to say that (in the realm of broadcast programming) the public is better served today than it was then, and continuing this trend can only make things worse.

Sincerely,

Carl Wurtz  
BringHonorBack.org



**From:** Tara Pinder  
**To:** Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 2:37 PM  
**Subject:** Re: FCC Deregulation Proposal

I have just become aware of the FCC's pending vote on further deregulation of the media.

I can only think this is a sad thing for our country.

When I was in school I was taught that the airwaves were for the people and the FCC had the responsibility of regulating them.

The media is so monopolized by corporate and commercial business that I simply cannot believe the FCC would consider further deregulation.

I sincerely hope the commissioners of the FCC will consider the people of the United States and the airwaves that we thought belonged to us.

Please keep them open to all and not owned and programmed only by the corporations.

We all lose with more deregulation.

With deregulation we lose our artists, our culture, our creativity, our independence.

Most sincerely,

Tara Pinder  
Roseville CA  
916-434-7508

**From:** Zeb Norris  
**To:** Kathleen Abernathy  
**Date:** Wed, Apr 30, 2003 2:42 PM  
**Subject:** dereg

Dear Commissioner Abernathy,

As a 27 year veteran of the radio broadcasting business I would like to share my thoughts and experience as they relate to the issue of further deregulation of this industry.

In 1996 when the first round of "dereg" went through some thought that it would improve the world of broadcasting and increase the news and entertainment options available to broadcast consumers. This has not been the case. In radio, formats are more narrowly defined with less local influence and flavor than ever before. And radio has pretty much ceased actually addressing the public service needs of the local communities that they supposedly are licensed to serve. There used to be requirements for stations to run news, public service announcements, and public affairs programming. There used to be a requirement that stations ascertain the needs and issues in their local communities. There used to be a "fairness doctrine" that insured equal representation of differing viewpoints. These requirements have all been eliminated. As a result, local news, public service, and public affairs programming has been seriously curtailed. Station operators have little or no idea of the needs of their local communities. And so called "News/Talk" radio is dominated by extreme right-wingers. This does NOT serve the public interest. And serving the public interest is very important, because broadcast companies do NOT own the airwaves. They are the property of WE THE PEOPLE. The FCC licenses corporations to use OUR airwaves. It is only reasonable that these companies be required to serve the public interest in exchange for the potentially very profitable use of the public airwaves.

Broadcast companies may complain that they are not making very much money. But a closer look at the finances of the broadcast industry shows that current owners paid very very high prices (in terms of price/earnings ratios) for broadcast outlets after the 1996 dereg. If they now find that it is hard to service their debt and turn a profit that is, to put it bluntly, nobody's fault but theirs. Thus far many companies have cut overhead by slashing their payrolls (particularly in the news, public service, and programming departments) and relying on automation. This means that stations are ill equipped to serve the most basic and urgent needs of their local communities, such as issuing alerts in the event of emergencies. It has also resulted in a net loss of thousands of decent paying jobs just so broadcast companies can service the debt on stations they paid too much for to begin with.

Further deregulation will inevitably lead to even more inflated prices for broadcast stations. It will inevitably lead to the loss of more jobs. It will inevitably lead to fewer options for listeners. It will inevitably lead to fewer voices being heard, fewer opinions being presented, and the continued erosion of the important role as a check on the government that newspapers, radio stations, and television stations have traditionally held. Please please please oppose further deregulation... and consider returning requirements that broadcast entities serve the public interest as a condition of holding a federal broadcast license.

Zeb Norris  
Recording Engineer & Voice talent  
Lucky Dog Audio  
(805) 455-5680

**From:** Emmeric  
**To:** Mike Powell  
**Date:** Wed, Apr 30, 2003 2:44 PM  
**Subject:** vote no

I heard that there is going to be a vote on lifting the cap on media monopolies to 45%, that is outrageous! As if things are not bad enough already! Please vote "NO" on this measure.

thank you!

sincerely,

emmeric james konrad

emmeric@emmeric.net

3615 Griffin ave. Los Angeles Ca., 90031

**From:** John "Zeb" Norris  
**To:** Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 2:45 PM  
**Subject:** Comments to the Commissioner

John "Zeb" Norris (aquadiozeb@cox.net) writes:

Dear Commissioner Adelstein,

As a 27 year veteran of the radio broadcasting business I would like to share my thoughts and experience as they relate to the issue of further deregulation of this industry.

In 1996 when the first round of "dereg" went through some thought that it would improve the world of broadcasting and increase the news and entertainment options available to broadcast consumers. This has not been the case. In radio, formats are more narrowly defined with less local influence and flavor than ever before. And radio has pretty much ceased actually addressing the public service needs of the local communities that they supposedly are licensed to serve. There used to be requirements for stations to run news, public service announcements, and public affairs programming. There used to be a requirement that stations ascertain the needs and issues in their local communities. Their used to be a fairness doctrine that insured equal representation of differing viewpoints. These requirements have all been eliminated. As a result, local news, public service, and public affairs programming has been seriously curtailed. Station operators have little or no idea of the needs !  
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so called News/Talk radio is dominated by extreme right-wingers. This does NOT serve the public interest. And serving the public interest is very important, because broadcast companies do NOT own the airwaves. They are the property of WE THE PEOPLE. The FCC licenses corporations to use OUR airwaves. It is only reasonable that these companies be required to serve the public interest in exchange for the potentially very profitable use of the public airwaves.

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Zeb Norris  
Recording Engineer & Voice talent  
Lucky Dog Audio  
(805) 455-5680

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Server protocol: HTTP/1.1  
Remote host: 68.6.38.209  
Remote IP address: 68.6.38.209

**From:** Emmeric  
**To:** Mike Powell, Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 2:48 PM  
**Subject:** VOTE NO

Chairman Michael K. Powell: [mpowell@fcc.gov](mailto:mpowell@fcc.gov)  
Commissioner Kathleen Q. Abernathy: [kabernat@fcc.gov](mailto:kabernat@fcc.gov)  
Commissioner Michael J. Copps: [mcopps@fcc.gov](mailto:mcopps@fcc.gov)  
Commissioner Kevin J. Martin: [kjmweb@fcc.gov](mailto:kjmweb@fcc.gov)  
Commissioner Jonathan S. Adelstein: [jadelste@fcc.gov](mailto:jadelste@fcc.gov)

I heard that there is going to be a vote lifting the cap on media monopolies to 45%, this is outrageous! As if things are not bad enough already! Please vote "NO" on this measure.

thank you!

sincerely,

emmeric james konrad

[emmeric@emmeric.net](mailto:emmeric@emmeric.net)

3615 Griffin ave. Los Angeles Ca., 90031

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"the painter has to look into his own trousers and paint their economy on the canvas."

Georg Baselitz

emmeric james konrad

[emmeric@emmeric.net](mailto:emmeric@emmeric.net)

213.926.1964

<http://www.emmeric.com>

**CC:** Giulia Longo

**From:** Cyndi McNutt  
**To:** Commissioner Adelstein  
**Date:** Wed, Apr 30, 2003 3:29 PM  
**Subject:** KLBJ airs harrassment phone call to an Iraqi as humorous entertainment

KLBJ airs for entertainment harrassment phone call to an Iraqi

The following is a letter soon to be mailed to the addressee below. However, prior to sending, I want to give you an opportunity to read and verify the truth of this report by listening to part of the recorded phone call posted at KLBJ's Website. (URL link provided in content of letter.)

The criteria supplied in content meets requirements for filing a complaint with the FCC. Please advise if I must file for formal process, and action to be taken.

To:

Jim Carroll  
Operations Manager  
KLBJ  
Austin , Texas

RE: Dudley and Bob Show on Friday, April 4th

Mr. Carroll:

On Friday, April 4th between 7:45 - 8:00 a.m. one of your representatives announced he had recorded a long distance phone call placed into Iraq, and burned it on CD the day before. I suppose this showed your representative placed enough importance and value on the recording for permanent record. Then, with buoyancy in his voice, he said, "And here it is." What followed was the most indecent and appalling broadcast I've ever heard, and could never imagine taking place, on radio anywhere in the world.

The next five minutes on KLBJ marked an historical moral low point in radio history. Your station aired for amusement, from our capital, against the background of war and during intensive bombing in the capital of Iraq, a phone call, the purpose of which was to harass an Iraqi. By the nature of randomness, which this call was apparently, the perpetrator of this heinous act was targeting all Iraqians. In the context of these recent developments of war, the caller became a representative of all Americans. This is one reason I feel it necessary to make the effort to correct or instigate appropriate response and action for this harassment. The other reason is to seek in some way moral recompense even if only symbolically and indirectly for the victim.

To say it was in poor taste for your station to broadcast this phone call would be an understatement. Your station showed not only poor judgment, but negligence of responsible broadcasting. Sadly, some listeners like your representatives may have found it amusing and entertaining. That your representatives could find this phone call remotely amusing is beyond my comprehension.

After speaking with you on the telephone Friday, April 4th to lodge my complaint, it was clear your concern was with the legality of phone harassment and your station's culpability. Your initial defensive response was that phone harassment is illegal in this country, suggesting by your emphasis no crime was committed by calling outside of our country. At that time you were not aware of the call, and our understanding was that one of your own representatives placed the call. When we spoke the following week, you explained that your representative had recorded this call off a Website, and that the source of the call was a radio station in St. Louis. And that your station had done nothing illegal.

For the record, the following is a description of the recorded phone call to the best of my recollection:

Your DJ announces, "And here it is."

Dial tone is heard. A man answers in Arabic. The sound of a long distance call is distinguishable from an in country call.

The caller asks, "Where are you from?" in a calculatedly slow drawl.

The Iraqi gentleman quickly switches to English and inquires as to whom the caller wishes to speak with.

The caller proceeds to bully, intentionally confuse and deride the Iraqi man. As I remember, some of the call:

Caller: "Why do you hate me?"

The Iraqi man again asks in very broken English whom the caller wishes to speak with. Clearly he does not understand what is being said.

Caller repeats, "Why do you hate me?"

The Iraqi man continues to attempt communication, clearly unable to understand the caller, but his voice sounds stressed and he becomes increasingly agitated and confused.

The caller continues, "I want you to love me."

Again, the Iraqi man asks with increasing tension in his voice what he is calling for.

The caller repeats two or three times, "I want you to have a relationship with a gay."

Finally, the Iraqi man bursts out, "Sadam Hussein is the leader of all Iraq! Sadam Hussein is the leader of all Iraq!"

The caller methodically continues with his purpose.

I was so shocked and disgusted that my recollection of the rest of the dialogue fails. I personally felt sorrow for the victim. I felt embarrassment by association with a fellow American, again as on a world stage we find ourselves in times like these. And in times like these even our small acts are amplified. I felt fury at such banality and ruthlessness. I felt ashamed that Iranian-Americans, or any of Mid-Eastern descent and origin living in Austin, might be listening. And I wondered how they would feel. I wondered who the Iraqi gentleman was, and what he must still think to this day. A psychologist I know who is aware of the socio-political circumstances in Iraq told me that realistically this gentleman could have thought he was being harassed and tested by a Baath Party member. He would have been terrorized.

Although the phone call was not placed by one of your representatives, your representatives aired it for amusement. In fact, by broadcasting this act of harassment, insult and derision, your station is complicit. Your station broadcast from our capital, against the background of war and during intensive bombing in the capital of Iraq, a phone call, the sole purpose of which was to harass an Iraqi. By the nature of randomness, which this call was apparently, the perpetrator of this heinous act was targeting all Iraqis. In the context of these recent developments of war, the caller became a representative of all Americans. This is one reason I feel it necessary to make every effort to correct and instigate appropriate response and action for this harassment. The other reason is to seek, in some way, moral recompense even if only symbolically and indirectly for the unidentifiable victim. Unfortunately the caller only identified himself as "Dr. Phil." A coward remains anonymous.

Finally, the first 30 seconds of this phone conversation is on the Dudley and Bob page of the KLBJ web site, URL:

<http://www.klbjfm.com/home.php>

Evidently, you and your station are proud to feature this recording for all visitors to hear. While we watch a country and people suffering a humanitarian crisis, from the comfort of our own living rooms, your Website offers a horrible record of cruel harassment as a joke. Again, your ignorance and shamelessness is incomprehensible.

I wish to inform you that I intend to file a formal complaint with the FCC. I also intend to notify others who might have an interest in being made aware of this broadcast.

Yours truly,

Cyndi McNutt

CC:

Senator Kay Bailey Hutchison, Senator Lloyd Doggett, Senator Gramm, Representative Max Sandlin, Representative Jim Turner, Representative Sam Johnson, Representative R.M. Hall, Representative Pete Sessions, Representative Joe Barton, Representative Representative J.A. Culberson, Representative Kevin Brady, Representative N.V. Lampson, Representative Chet Edwards, Representative Kay Granger, Representative William Thornberry, Representative R.E. Paul, Representative Ruben Hinojosa, Representative Silvestre Reyes, Representative C.W. Stenholm, Representative Larry Combest, Representative C.A. Gonzalez, Representative Charles Gonzalez, Representative Lamar Smith, Representative Tom Delay, Representative Henry Bonilla, Representative Martin Frost, Representative Ken Bentsen, Representative E.B. Johnson, Representative Ciro Rodriguez, Representative Dick Armey, Representative [zasali@adc.org](mailto:zasali@adc.org); [adc@adc.org](mailto:adc@adc.org); [legal@adc.org](mailto:legal@adc.org); [news36@kxan.com](mailto:news36@kxan.com); [jim.swift@kxan.com](mailto:jim.swift@kxan.com); [listens@kvue.com](mailto:listens@kvue.com); [news@keyetv.com](mailto:news@keyetv.com); [edonahue@mail.utexas.edu](mailto:edonahue@mail.utexas.edu); [Gus.Garcia@ci.austin.tx.us](mailto:Gus.Garcia@ci.austin.tx.us); [Jackie.Goodman@ci.austin.tx.us](mailto:Jackie.Goodman@ci.austin.tx.us); [Daryl.Slusher@ci.austin.tx.us](mailto:Daryl.Slusher@ci.austin.tx.us); [Raul.Alvarez@ci.austin.tx.us](mailto:Raul.Alvarez@ci.austin.tx.us); [Betty.Dunkerley@ci.austin.tx.us](mailto:Betty.Dunkerley@ci.austin.tx.us); [Will.Wynn@ci.austin.tx.us](mailto:Will.Wynn@ci.austin.tx.us); [Danny.Thomas@ci.austin.tx.us](mailto:Danny.Thomas@ci.austin.tx.us)



**From:** Mike Pandzik  
**To:** Mike Powell  
**Date:** Wed, Apr 30, 2003 3:33 PM  
**Subject:** INCREASING THE MEDIA CONCENTRATION CAP

Please forward this attachment to Chairman Powell. Thank you.

Michael L. Pandzik  
President & CEO

NATIONAL CABLE TELEVISION COOPERATIVE, INC.  
11200 Corporate Avenue  
Lenexa, Kansas 66219

(w) 913 / 599-5900  
(f) 913 / 599-5921

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N.B.: Founded in 1984, the NCTC is the U.S. cable industry's national wholesale purchasing organization. Through the Cooperative, our members participate in group-purchasing programs and master contracts to obtain volume discounts on cable programming networks as well as the hardware, equipment and services our members need to operate their businesses. Our 1,100 member companies provide cable television service to over 14 million households, served by nearly 7,000 cable systems in all 50 of the United States and every U.S. Territory.

**CC:** Allan Block [E-mail], Ben Hooks Jr. [E-mail], Charles "Chuck" Berky [E-mail], David D. Kinley [E-mail], Douglas B. Fuller [E-mail], Jeff Abbas [E-mail], Jim Faircloth [E-mail], Kirby Campbell [E-mail], LeaAnn Quist [E-mail], Linda C. Stuchell [E-mail], Peter C. Smith [E-mail], Robert [Bob] Gessner [E-mail], Steve Willrett [E-mail], Tom Gleason Jr. [E-mail], Tyrone Garrett [E-mail]